



Docket No. B0250.70010 US00

3736
#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yossi GROSS et al.
Serial No: 10/047,135
Confirmation No. 4819
Filed: January 15, 2002
For: MECHANICAL AND ELECTRICAL SENSING FOR INCONTINENCE TREATMENT

Examiner: B.S. Szmal
Art Unit: 3736

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 7 day of February, 2004.


Steven J. Henry
Reg. No. 27,900

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Transmitted herewith are the following documents:

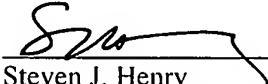
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Terminal Disclaimer
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If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check in the amount of \$110.00 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,


Steven J. Henry
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Docket No.: B0250.70010 US00
Date: February 3, 2004

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TERMINAL DISCLAIMER TO OBTAIN A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT

Docket Number:
B0250.70010 US00

In re Application of: Yossi GROSS et al.
Application No. 10/047,135
Confirmation No. 4819
Filed: January 15, 2002
For: MECHANICAL AND ELECTRICAL SENSING FOR INCONTINENCE
TREATMENT DEVICE

The owner*, BIO CONTROL MEDICAL LTD., of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,354,991. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.


Signature

2/3/04
Date

Steven J. Henry, Reg. No. 27,900

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* Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP §324.

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